



09/708,925

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: SCHAEFER ET AL. Examiner: A. CORBIN
Serial No.: 09/708,925 Group Art Unit: 1761
Filed: NOVEMBER 8, 2000 Docket No.: 10871.3USC2
Title: LOW TEMPERATURE RENDERING PROCESS, AND MEAT PRODUCT

COMBINED TERMINAL DISCLAIMER AND
CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Petitioner, Cargill, Incorporated, a corporation organized and existing under the laws of the State of Delaware and having its primary place of business at 15407 McGinty Road West, Minneapolis, Minnesota 55440, in the county of Hennepin, and the state of Minnesota represents that it is the owner of the entire right, title and interest in U.S. Patent Application Serial No. 09/708,925, filed on November 7, 2000 and entitled LOW TEMPERATURE RENDERING PROCESS, AND MEAT PRODUCT, by virtue of an assignment recorded at Reel 9763, Frames 0827-0830. The below Certificate under 37 C.F.R. § 3.73(b) establishes Cargill, Incorporated's right as assignee to take action.

Petitioner, Cargill, Incorporated, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 5,725,897, U.S. Patent No. 5,965,184, and U.S. Patent No. 6,159,515 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 5,725,897, U.S. Patent No. 5,965,184, and U.S. Patent No. 6,159,515, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

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In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent No. 5,725,897, U.S. Patent No. 5,965,184, and U.S. Patent No. 6,159,515, in the event that any such issued patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certification, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: August 11, 2003

By: 

Name:

Dennis R. Daley

Reg No:

34,994

CHANT, GOULD, SMITH, EDELL, WELTER & AMIDT

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: LOW TEMPERATURE RENDERING PROCESS, AND MEAT PRODUCT

The specification of which

a. ☐ is attached hereto

b. ☒ was filed on October 30, 1998 as application serial no. 09/183,184 and was amended on (if applicable) (in the case of a PCT-filed application) described and claimed in international no. filed and as amended on (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

a. ☐ no such applications have been filed.

b. ☒ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)
08/895,112	July 16, 1997	Pending
08/506,612	July 25, 1995	Patented - U.S. Patent No. 5,725,897

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)
60/000,839	July 3, 1995

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Albrecht, John W.	Reg. No. 40,481	Larson, James A.	Reg. No. 40,443
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Berman, Charles	Reg. No. 29,249	Lynch, David W.	Reg. No. 36,204
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Chiapetta, James R.	Reg. No. 39,634	Pauly, Daniel M.	Reg. No. 40,123
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DeVries Smith, Kate	Reg. No. 42,157	Schmaltz, David G.	Reg. No. 39,828
DiPietro, Mark J.	Reg. No. 28,707	Schuman, Mark D.	Reg. No. 31,197
Edell, Robert T.	Reg. No. 20,187	Schumann, Michael D.	Reg. No. 30,422
Epp Ryan, Sandra	Reg. No. 39,667	Sebald, Gregory A.	Reg. No. 33,280
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Glance, Robert J.	Reg. No. 40,620	Sumner, John P.	Reg. No. 29,114
Golla, Charles E.	Reg. No. 26,896	Sumners, John S.	Reg. No. 24,216
Gorman, Alan G.	Reg. No. 38,472	Tellekson, David K.	Reg. No. 32,314
Gould, John D.	Reg. No. 18,223	Trembath, Jon R.	Reg. No. 38,344
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Komanduri, Janaki	Reg. No. 40,684	Wood, Gregory B.	Reg. No. 28,133
Kowalchuk, Alan W.	Reg. No. 31,535	Wood, William J.	Reg. No. 42,236
Kowalchuk, Katherine M.	Reg. No. 36,848	Xu, Min S.	Reg. No. 39,536
Lacy, Paul E.	Reg. No. 38,946		


I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant, Gould, Smith, Edell, Welter & Schmidt to the contrary.

Please direct all correspondence in this case to Merchant, Gould, Smith, Edell, Welter & Schmidt at the address indicated below:

Merchant, Gould, Smith, Edell,
Welter & Schmidt
3100 Norwest Center
90 South Seventh Street
Minneapolis, MN 55402-4131


I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Signature of Inventor 201:			Date: 1/15/99	
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Signature of Inventor 203:			Date: 1-15-1999	

Application Number 	Application No.	Applicant(s)	
	09/708,925	SCHAEFER ET AL.	

TERMINAL DISCLAIMER	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DISAPPROVED
Document Code - DISQ	<i>DAF</i> <i>10/10/23</i> This patent is subject to a Terminal Disclaimer	
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U.S. Patent and Trademark Office

Application Number 	Application No.	Applicant(s)	
	09/708,925	SCHAEFER ET AL.	

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